

REMARKS

Claims 1, 4-13 and 16-22 are pending in the present Application.

Examiner has rejected claims 1, 4-13, and 16-21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,243,163 to Friend et al. ("Friend") in view of U.S. Patent No. 6,449,622 to La Rue et al. ("La Rue") and in view of U.S. Patent Application Publication No. 2003/0145229 by Cohen et al. ("Cohen"). Friend is directed to the synchronization of a wireless data processing device with a wireless messaging service. Friend desires to resolve the condition in which the e-mail stored at the wireless device and the e-mail stored at the e-mail database are not truly synchronized. Friend further desires to synchronize and manage the relationship between the wireless device and the messaging service without requiring the intercession of a corporate desktop running specialized software. See col. 1, line 59 - col. 2, line 31. One embodiment to accomplish this assigns a sequential code to each message transaction at the customer site. The sequential code indicates the relative order in which the message transaction was generated. The wireless device, then, does not execute a message transaction until it receives all previous message transactions. See col. 16, lines 59-67. Since conflicts may arise between versions of messages ("data objects" where the service is Microsoft Exchange-based), a version number is associated with each data object and the version number is changed for each modification of the data object. Independent changes made to the same data object stored at the wireless device with a version number and at the messaging service with a similar version number are detected in Friend's conflict detector

logic (either at the wireless device or at the wireless service) detects the conflicting independent changes and offers resolution possibilities. See col. 18, line 39 - col. 19, line 30.

La Rue is directed to the synchronization of data in two databases, where the communication environment between the datasets is subject to large communication latencies and intermittent reliability and availability. See col. 3, lines 22-66. Information indicative of a first version of user data and involved with prior synchronization with a second dataset is stored. A change to the second dataset that is new to the stored information regarding the first version of the first dataset is identified and communicated with an indication of the first version. See col. 4, lines 48-67. Specifically and with reference to Fig. 3, client record changes are sent to the server along with an indicator of the current version of the client record, thereby enabling conflict resolution, when required. See col. 13, lines 30-61. Similarly, fresh record changes that are found at the server are sent to the client along with the last known client version indicator for the client record. See col. 13, line 61 - col. 14, line 30. Note that the exchanges between the client and the server employ the client record version number for identification.

Cohen is directed to the provision of secure end-to-end notifications over networks that include one or more intermediary message transit points. "Some access to information is synchronous or 'pull-oriented'. In other words, information is accessed each time a request for the information is submitted." Paragraph [0005]. "[C]omputer networks may also be used to implement notifications in which a user subscribes to be notified upon the occurrence of

predetermined events. If the event occurs, the notification is dispatched to the user without the user needing to request each notification. Such communication is often termed asynchronous or 'push-oriented' since there need not be a user-issued request before each notification."

Paragraph [0007]. "[S]ecurity information is negotiated out-of-band from the notification mechanism so that the message transit points are not apprised of the security information."

Paragraph [0015].

The present Application has been amended to more clearly indicate the invention and its distinctiveness over the cited art. Claim 1 requires that the session state information values include –

- (a) a session identification value that identifies a sequential number of prior synchronization sessions initiated by the network part or the mobile node, and
- (b) an expected-session identification value that identifies a next-expected number of sessions initiated by the other of the selected one of the network part and the mobile node.

That is, two identification values: one generated for the current synchronization session (for example, at the mobile node), and one generated (again at the exemplary mobile node) for the expected synchronization session at the other end (the exemplary network part). Both values then comprise the generated session state information values. The session state values are communicated between the mobile node and the network part. While Friend creates a version number associated with each data object which is changed for each modification of the data object, Friend does not teach the communication of two version numbers in a communication

between a wireless data processing device and a wireless messaging service. La Rue uses the client version indicator for the client record – only a single version number (which may change with conditions) – in a communication between the client and the server. Thus, at least one element of Applicant's claimed invention is absent from the proposed Friend/La Rue combination.

Examiner has indicated that the Friend/La Rue combination does not teach synchronization without notice or using XML and has introduced Cohen as combinable to teach these missing elements. Applicants have cancelled these elements from the claims as part of the preliminary amendment accompanying the RCE, thereby making Examiner's proposed combination including Cohen moot.

Independent claims 13 and 21 include limitations similar to those of claim 1. Therefore the argument above applies to these claims and the Friend/La Rue combination does not include all of the elements of Applicants' claimed invention. Dependent claims 4-12 and 16-19 are ultimately dependent upon presumed allowable independent claims and are therefore themselves presumed allowable.

Examiner has rejected claim 22 under 35 U.S.C. §103(a) as being unpatentable over Friend in view of La Rue and Cohen and further in view of U.S. Patent Application Publication No. 2023/0188752 by Tomassetti. Claim 22 is dependent upon presumed allowable independent claim 21 and is, therefore presumed allowable.

In light of the foregoing amendment of claims and remarks, Applicants believe the rejections under §103 to be improper because elements of Applicants' claimed invention have not been disclosed by Friend, La Rue, Cohen, or Tomassetti, taken alone or in combination. A *prima facie* case of obviousness has not been stated. Applicants respectfully urge Examiner to withdraw the rejections, reconsider Applicants' present Application, and pass the present Application to allowance.

Respectfully submitted,

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